

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

|   |   |                             |
|---|---|-----------------------------|
| In Re:  | : | Bankruptcy No. 19-10981-elf |
| Nina Mitchell                                     | : | Chapter 13                  |
| Debtor  | : |                             |
| U.S. Bank National Association, not in its        | : |                             |
| individual capacity but solely as trustee for the | : |                             |
| RMAC Trust, Series 2016-CTT c/o Rushmore          | : |                             |
| Loan Management Services                          | : |                             |
| Movant  | : |                             |
| vs.   | : |                             |
| Nina Mitchell                                     | : |                             |
| Debtor/Respondent                                 | : |                             |
| and   | : |                             |
| William C. Miller, Esquire                        | : |                             |
| Trustee/Respondent                                | : |                             |

**OBJECTION TO CONFIRMATION OF THE PLAN**

U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT c/o Rushmore Loan Management Services (“Movant”), by its attorneys, Hladik, Onorato & Federman, LLP, objects to confirmation of the Chapter 13 Plan of Debtor, Nina Mitchell (“Debtor”), as follows:

1. As of the bankruptcy filing date of February 18, 2019, Movant holds a secured Claim against the Debtor’s property located at 715 Clovelly Lane, Devon, PA 19333.
2. Movant filed a Proof of Claim on March 15, 2019 with pre-petition arrears in the amount of \$149,404.84.
3. The Plan currently proposes payment to Movant in the amount of \$110,000.00 for pre-petition arrears.
4. The Plan fails to cure the delinquency pursuant to 11 U.S.C. § 1322(b)(5).
5. The Plan violates of 11 USC § 1325(a)(5)(B)(ii) by not providing for Movant to receive the full value of its claim.

6. Movant objects to the feasibility of the Plan under 11 U.S.C. § 1325(a)(6). The Plan proposed by Debtor is not feasible. Movant requests that the bankruptcy case either be converted to a Chapter 7 or be dismissed pursuant to 11 U.S.C. § 1307.

WHEREFORE, Movant respectfully requests that this Honorable Court deny confirmation of the Debtor's Chapter 13 Plan.

Dated: 03/22/2019

Respectfully submitted,

/s/Danielle Boyle-Ebersole, Esquire  
Danielle Boyle-Ebersole, Esquire  
Hladik, Onorato & Federman, LLP  
298 Wissahickon Avenue  
North Wales, PA 19454  
Phone 215-855-9521/Fax 215-855-9121  
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| Movant  | : |                             |
| vs.   | : |                             |
| Nina Mitchell                                     | : |                             |
| Debtor/Respondent                                 | : |                             |
| and   | : |                             |
| William C. Miller, Esquire                        | : |                             |
| Trustee/Respondent                                | : |                             |

**CERTIFICATE OF MAILING OF OBJECTION TO THE PROPOSED  
PLAN TO PARTIES IN INTEREST**

I, Danielle Boyle-Ebersole, Esquire, attorney for U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT c/o Rushmore Loan Management Services (“Movant”), certify that I served a copy of the attached Objection to the Plan to the parties below on 03/22/2019:

Michael G. Deegan, Esquire  
Via Electronic Filing  
*Attorney for Debtor*

William C. Miller, Esquire  
Via Electronic Filing  
*Trustee*

Nina Mitchell  
715 Clovelly Lane  
Devon, PA 19333  
Via First Class Mail  
*Debtor*

Date: 03/22/2019

Respectfully Submitted,  
/s/Danielle Boyle-Ebersole, Esquire  
Danielle Boyle-Ebersole, Esquire  
Hladik, Onorato & Federman, LLP  
298 Wissahickon Avenue  
North Wales, PA 19454  
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